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September 13, 2023

**VIA ECF**

Hon. José R. Almonte, U.S.M.J.  
 U.S. District Court for the District of New Jersey  
 Martin Luther King Building & U.S. Courthouse  
 50 Walnut Street  
 Newark, New Jersey 07102

**Re: *Pacira Pharmaceuticals, Inc. v. eVenus Pharmaceuticals Labs, Inc.*,  
 Civil Action No. 2:21-cv-19829-MCA-JRA (consolidated with 2:22-cv-718)**

Dear Judge Almonte:

We, along with Perkins Coie LLP and O'Toole Scrivo, LLC, represent Plaintiffs in this matter. We write on behalf of Plaintiffs and Defendants (collectively, "the Parties") to respectfully request that the Court amend the Scheduling Order (ECF No. 207), as proposed below.

The Parties have agreed on the extension of expert discovery deadlines, as set forth below.

Event	Current Date	Proposed Amended Date
Rebuttal expert reports (Plaintiffs' rebuttal expert reports shall include any disclosure regarding secondary considerations)	September 14, 2023	September 21, 2023
Reply expert reports (including, but not limited to, Defendants' response regarding secondary considerations)	October 19, 2023	November 2, 2023
Close of expert discovery	November 14, 2023	December 1, 2023
Deadline for Filing Pretrial Order	January 9, 2024 (or as otherwise set by the Court)	No change

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Final Pretrial Conference	January 16, 2024 (or as otherwise set by the Court)	No change
Bench Trial	February 6, 2024	No change
30-Month Stay Ends	July 1, 2024 (20 mL strength and 10 mL strength)	No change

If the requested amended schedule herein meets with the Court's approval, we respectfully request that Your Honor execute the "So Ordered" provision below and have this letter entered on the docket. Should the Court find it helpful, the Parties can be available for a telephone conference at the Court's earliest convenience.

\* \* \*

The Parties thank the Court for its attention to these matters.

Respectfully submitted,

/s/ *Cynthia S. Betz*

Cynthia S. Betz

CC: All counsel of record (via ECF)

The proposed schedule modifications herein are  
**SO ORDERED** on the **14th of September, 2023**.



Hon. Jose R. Almonte, U.S.M.J.